



Tri-Party Agreement

0057529

HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER

SUSPENSION OF
TANK WASTE REMEDIATION SYSTEM (TWRS) NEGOTIATIONS
In Recognition of
TWRS PRIVATIZATION CONTRACT NUMBER DE-AC06-96RL1830
AUGUST 1998

RECEIVED
JUN 28 2002

EDMC

On May 24, 1999, the Washington Department of Ecology (Ecology), U. S. Environmental Protection Agency (EPA) and U. S. Department of Energy (DOE) (hereafter the Parties) approved their Agreement in Principle (AIP) initiating negotiations regarding the acquisition and operation of Hanford site high-level radioactive waste treatment facilities. The date for conclusion of these negotiations was subsequently extended from July 31, 1999 to August 12, 1999.

1. Resulting negotiations between the Parties have not yielded an agreement.
2. Should the Parties terminate negotiations at this time, the Director of the Department of Ecology is required to issue a final determination in this matter pursuant to the terms of the Parties' AIP and the Hanford Federal Facility Agreement and Consent Order, Part II, Article VIII.
3. The Parties agree that detailed negotiations have not been successful, that issuance of a final determination at this time is not desirable, and that further progress in this matter is best served by the direct involvement of respective senior agency management.
4. The Parties also recognize that management and staff unavailability during the month of August 1999 adds an additional difficulty in concluding this matter.

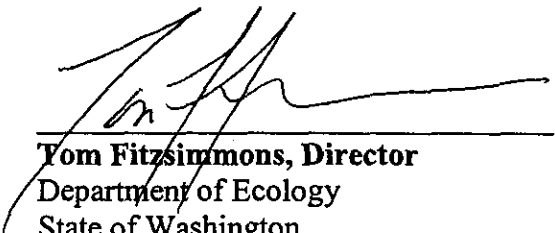
Consequently, the Parties agree as follows:

- A. That detailed negotiations are hereby suspended through September 17, 1999, allowing agency executive management the opportunity to schedule a direct discussion with one another in this matter.

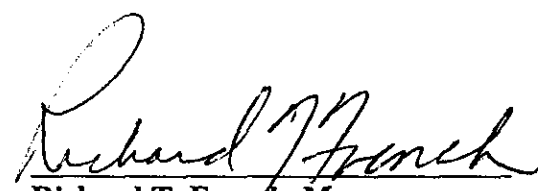
Suspension of negotiations
August 12, 1999

- B. That no later than September 17, 1999, the agencies will determine whether or not to continue negotiations regarding the acquisition and operation of Hanford site high-level radioactive waste treatment facilities. If Ecology, DOE and EPA each agree that such negotiations would be productive, then the agencies shall extend the negotiations for a mutually agreeable period of time. If one or more agency determines that further negotiations would not be productive, then they shall notify the other parties in writing, and these negotiations shall be deemed completed as of the date of that notification. In any event, should the agencies fail to agree (by September 17, 1999) to extend negotiations, such negotiations shall be deemed completed. If the negotiations are deemed completed, then the Director of Ecology shall issue a final determination as provided for within the parties' May 24, 1999 AIP.
- C. Except as modified in this Suspension Agreement, all other provisions of the Parties' May 24, 1999 AIP remain in force.

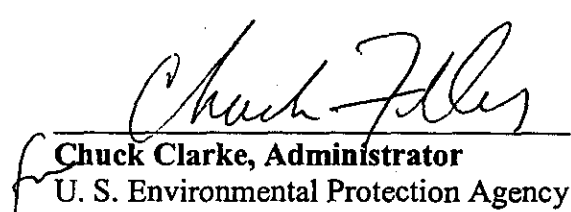
AGREED-TO THIS 24TH DAY OF AUGUST, 1999



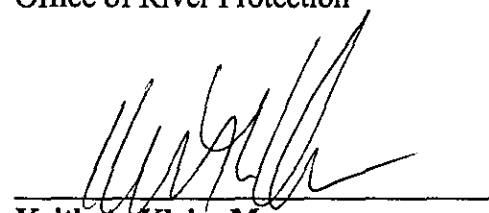
Tom Fitzsimmons, Director
Department of Ecology
State of Washington



Richard T. French, Manager
U. S. Department of Energy
Office of River Protection



Chuck Clarke, Administrator
U. S. Environmental Protection Agency
Region 10



Keith A. Klein, Manager
U. S. Department of Energy
Richland Field Office